

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FELIX CASTRO, on behalf of himself and all others
similarly situated,

Plaintiffs,

-against-

FORAY GOLF, LLC,

Defendants.

23-CV-5698 (JGLC)

ORDER

JESSICA G. L. CLARKE, United States District Judge:

The Complaint in this action was filed on July 3, 2023. On October 5, 2023, the Court ordered Plaintiffs to show good cause in writing why service of the summons and Complaint was not made within the 90 days prescribed by Rule 4(m) of the Federal Rules of Civil Procedure – or, if Plaintiffs believed service had been made, to demonstrate when and in what manner service *was* made within the 90 days. *See* ECF No. 5. The Court notified Plaintiffs that if they did not show good cause – or file anything – by October 19, 2023, the Court would dismiss the Complaint. *Id.* Plaintiffs did not file anything by the deadline.

Accordingly, the Complaint is DISMISSED without prejudice pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. Any pending motions are moot. All conferences are canceled. The Clerk of Court is directed to close the case.

Dated: October 26, 2023
New York, New York

SO ORDERED.



JESSICA G. L. CLARKE
United States District Judge